

BEFORE THE BOARD OF DESIGN REVIEW
FOR THE CITY OF BEAVERTON, OREGON

IN THE MATTER OF A REQUEST FOR)	
)	ORDER NO. 1775
DESIGN REVIEW THREE APPROVAL)	
)	DR 2004-0078
FOR AN APPROXIMATELY 135,800)	
)	ORDER APPROVING
SQUARE FOOT EXPANSION OF AN)	
)	REQUEST WITH
AN EXISTING RETAIL CENTER)	
)	CONDITIONS
(CASCADE PLAZA). HARSH)	
)	
INVESTMENT PROPERTIES, APPLICANT.))	

The matter came before the Board of Design Review on January 6, 2005, and was continued to January 27, 2005, in order to address the Board's concerns regarding the north building façade treatments. The request is for Design Review Three approval for an approximately 135,800 square foot expansion of an existing retail center (Cascade Plaza). The development site is generally located at 8585 Cascade Avenue and is more specifically identified as Tax Lot 100 on Washington County Assessor's Map 1S1-27AD. The affected parcel is zoned General Commercial (GC) and is approximately 6.43 acres in size.

Pursuant to Ordinance 2050 (Development Code), Sections 40.20.15.3.C and 50.45 the Board of Design Review conducted a public hearing and considered testimony and exhibits on the subject proposal. The Board heard specific testimony regarding existing site contamination and on-going clean-up efforts onsite. Ultimately, the Board concluded that environmental issues such as these are not

applicable to approval criteria and are not the purview of the Board of Design Review.

IT IS HEREBY ORDERED that DR2004-0078 is APPROVED, based on the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings, and conclusions found in the Staff Report dated December 16, 2004, subsequent site plans dated January 21, 2005, and this Land Use Order, subject to the following conditions:

A. Prior to issuance of the site development permit, the applicant shall:

1. Provide evidence that new driveway intersections meet City requirements for intersection sight distance. No obstructions shall be placed within the driveway intersection sight vision triangle except as provided by City Ordinance, including but not limited to parking. New driveway intersections shall meet sight distance criteria in the City's Engineering Design Manual for the design speed of the roadway. (*DRG / Transportation*)
2. Contract with a professional engineer (or professional architect if allowed by the City Engineer) to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4303 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (February 2004, Resolution and Ordinance 2004-009), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (*Site Development Div./JJD*)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4303; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (*Site Development Div./JJD*)
4. Have the ownership of the subject property guarantee all public improvements, storm water management (quality and quantity) facilities, site grading, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (*Site Development Div./JJD*)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the

area encumbered and City Attorney as to form. (*Site Development Div./JJD*)

6. Have obtained the City Building Official's approval of the private plumbing plan for facilities regulated under the Uniform Plumbing Code with Oregon Amendments. (*Site Development Div./JJD*)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans. (*Site Development Div./JJD*)
8. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (*Site Development Div./JJD*)
9. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for storm system connections. (*Site Development Div./JJD*)
10. Submit a completed 1200-C General Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. (*Site Development Div./JJD*)
11. Submit a detailed water supply analysis (Fire Flow) to the City Building Official in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue (for more information, see http://www.tvfr.com/Dept/fm/brochures/fire_flow_and_hydrant_requirements.pdf). If needed, this analysis shall include an actual flow test and analysis by a professional engineer meeting the standards set by the City Engineer. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (*Site Development Div./JJD*)
12. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (*Site Development Div./JJD*)
13. Provide plans showing a stormfilter vault (for treatment of the site's piped surface water runoff) with a minimum of 3.0 cartridges per impervious acre. Plans shall also show a trash capture water quality pre-treatment manhole (CDS manhole or City of Beaverton approved equivalent as determined by City Engineer) located in front any stormfilter vaults. Plans shall also show a high flow bypass system to bypass surface water runoff high flows (flows greater than the 5-year design storm) around the stormwater vaults. (*Site Development Div./JJD*)
14. Submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City

Engineer. The report shall include an assessment of the soil and any toxic contaminants, ground/surface water issues, any needed clean-up action, remediation methods, Oregon Department of Environmental Quality requirements, disposal regulations, and worker safety measures. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality. *(Site Development Div./JJD)*

15. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. *(Site Development Div./JJD)*

B. Prior to building permit issuance, the applicant shall:

16. Provide 11 secured long term and 11 short term bike spaces based on the 135,800 square feet of shopping center. *(DRG / Transportation)*
17. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. *(Site Development Div./JJD)*
18. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. *(Site Development Div./JJD)*
19. Submit to the City a certified impervious surface determination of the proposed project prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total. In addition, specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, the new impervious surface area created, and total final impervious surfaces areas on the entire site or individual tax lots if applicable. *(Site Development Div./JJD)*
20. Ensure that Design Review approval has not expired. In accordance with Section 50.90.1 of the Development Code, Design Review approval shall expire after two (2) years from the date of approval unless prior to that time a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension is filed pursuant to Section 50.93, or that authorized development has otherwise commenced in accordance with Section 50.90.3.B. *(Dev. Ser. Div., ETE)*
21. Ensure that adjustments are made to the existing north building elevations as directed by the Board of Design Review. These adjustments are to include, but not limited to, façade transition and corner finishing. *(Dev. Ser. Div., ETE)*

C. Prior to occupancy permit issuance, the applicant shall:

22. Have substantially completed the site development improvements as determined by the City Engineer. *(Site Development Div./JJD)*

23. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, except high voltage lines (>57kV). (*Site Development Div./JJD*)
24. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (*Site Development Div./JJD*)
25. Have obtained an Industrial Sewage Permit from the Clean Water Services District (CWS, formerly USA) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (*Site Development Div./JJD*)
26. The proposed project shall comply with the State of Oregon Building Code in effect as of date of application for the building permit. This currently includes the following: (1) The 2003 edition of the International Building Code as published by the International Code Conference and amended by the State of Oregon; (2) 2003 International Mechanical Code as published by the International Code Council and amended by the State of Oregon; (3) the 1997 edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and amended by the State of Oregon; (4) the 2000 edition of the National Electrical Code as published by the National Fire Protection Association and amended by the State of Oregon; and (5) the 2003 International Fire Code as published by the International Code Council and amended by Tualatin Valley Fire and Rescue. (Building Division / BR)
27. A demolition permit is required for the removal of the existing building(s). A plumbing permit is required for removal, abandonment and capping of a septic tank or sewer line. If a septic tank exists, it shall be pumped out and filled in with sand or gravel or completely removed. An inspection shall be obtained from the plumbing inspector after the tank is filled or removed. A copy of the receipt from the pumping company shall be provided. If the building is connected to the public sanitary sewer system, the building's sewer shall be capped off at the property line and inspected by the plumbing inspector. (Section 106, SSC; Section 722, PSC) The removal of existing buildings on the property may provide credits towards some system development (SDC) fees such as water, sanitary sewer, impervious surface, and traffic. (*Building Division / BR*)
28. Applications for plan review must include the information outlined in the Tri-County Commercial Application Checklist. This form is available at the Building Division counter or may be printed from the Forms/Fee Center at www.ci.beaverton.or.us. Incomplete applications will not be accepted. (City policy) (*Building Division / BR*)
29. The City offers phased permits, for foundation/slabs, structural frame, shell and interior build-out (TI). An applicant desiring to phase any portion of the project must complete the Tri-County Commercial Phased Project Matrix or each phased portion. This form is available at the Building Division counter or may be printed from the Forms/Fee Center

at www.ci.beaverton.or.us. Note: Except private site utilities (potable water, sanitary and storm sewer lines), Excavation and Shoring, Site Utilities and Grading are not permits issued by the Building Division and therefore area not part of the City's phased permit process. (*Building Division / BR*)

30. Plan submittals may be deferred as outlined in the Tri-County Deferred Submittals list. Each deferred submittal shall be identified on the building plans. This list is available at the Building Division counter or may be printed from the Forms/Fee Center at www.ci.beaverton.or.us. Permit applicants are responsible for ensuring that deferred plan review items listed on the plans are submitted for approval well in advance of the need to begin work on that portion of the project (anticipate a minimum of three weeks plan review turnaround time for tenant improvement and six weeks plan review turnaround for new construction projects). No work on any of the deferred items shall begin prior to the plans being submitted, reviewed and approved. (*Building Division / BR*)
31. Unless they are identified as a deferred submittal on the plans, building permits will not be issued until all related plans and permits have been reviewed, approved, and issued (i.e., mechanical, plumbing, electrical, fire sprinkler systems, fire alarm systems, etc. (City policy) (*Building Division / BR*)
32. Projects involving new buildings and additions are subject to System Development fees. A list of the applicable fees is available at the Building Division counter or may be printed from the Forms/Fee Center at www.ci.beaverton.or.us . (*Building Division / BR*)
33. The building code plans review can run concurrent with the Board of Design Review (BDR) and site development review. (*Building Division / BR*)
34. A separate plumbing permit is required for installation of private on-site utilities (i.e., sanitary sewer, storm sewer, water service, catch basins, etc. If the applicant desires to install those types of private utilities during the same period as the "Site Development" work, a separate application and three sets of the private utility plans must be submitted to the Building Services Division for review and approval. (*Building Division / BR*)
35. Disabled parking stalls shall be provided in accordance with ORS 447.233. (*Building Division / BR*)
36. The proposed building(s) shall be accessible to persons with disabilities. (Chapter 11, SSC) (*Building Division / BR*)
37. An accessible route shall be provided to persons with disabilities throughout the site. (Section 1106, SSC) (*Building Division / BR*)
38. An accessible route shall be provided to persons with disabilities from the building to a public way. (Section 1103, SSC) (*Building Division / BR*)

39. Ensure all site improvements, including grading and landscaping is completed in accordance with plans marked "Exhibit A". (on file at City Hall). (*Dev. Ser. / ETE*)
40. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (*Dev. Ser. / ETE*)
41. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C". (On file at City Hall). (*Dev. Ser. / ETE*)
42. Ensure all landscaping and fencing approved by the decision making authority for commercial, industrial, and non-residential mixed-use development is installed unless a performance security, equal to 110 percent of the cost of the landscaping not so installed, is filed with the City assuring such installation within six months of occupancy. All performance securities submitted shall itemize the cost of materials and labor. (*Dev. Ser. / ETE*)
43. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (*Dev. Ser. / ETE*)
44. Ensure that the planting of approved street trees and vegetation or the pruning thereof, within the public right-of-way or public easements, has occurred in accordance with the City Tree Planting & Maintenance Policy (Resolution 3391). The provisions for acceptance of a performance security, meeting the requirements for landscaping, shall also apply to the planting of street trees approved through the Design Review process. (*Dev. Ser. / ETE*)
45. Ensure coniferous trees, having been balled and burlapped or grown within suitable containers for one year, are planted. Each tree shall be a minimum of six (6) feet in height, except that dwarf and compact varieties may be approve at any size. All trees shall be fully branched and adequately staked at the time of planting. (*Dev. Ser. / ETE*)
46. Ensure ground cover plantings are installed at a maximum of 30 inches on center and 30 inches between rows. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum four (4) inch size container, or a 2-1/4 inch container if planted 18 inches on-center. (*Dev. Ser. / ETE*)
47. Ensure deciduous or evergreen shrubs are installed at a minimum, using one-gallon containers or eight (8) inch burlap balls with a minimum spread of 12 inches to 15 inches. (*Dev. Ser. / ETE*)

48. Ensure landscaped areas approved to be planted in lawn have sod installed between November 1 and March 1, and between June 1 and September 1 of the year. Grass seed is approved as an option at other times of the year. Sod may be placed at any time of year. This condition is not applicable to special seed mixes approved for use in natural resource areas, steep slopes, or in areas for the primary purpose of erosion control. *(Dev. Ser. / ETE)*
49. Ensure off-street parking, loading and driveway area are screened from streets and surrounding properties within landscape area, containing at a minimum, evergreen and/or deciduous plant material with a minimum height of 30 inches. Where landscaped berms, walls, raised planters or similar features of at least 30 inches in height have been approved to screen streets and surrounding properties, the plant materials are not required. *(Dev. Ser. / ETE)*
50. Ensure landscaping within off-street parking lots is installed by the standard of one landscaped planter island or area, per approximately every 12 parking spaces provided. The size of such islands or areas shall be a minimum of 8 feet in width by the depth of an abutting parking stall. The area of landscaped screening on the perimeter of parking lots shall not be used toward meeting the area requirement of parking lot islands. *(Dev. Ser. / ETE)*
51. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. *(Dev. Ser. / ETE)*
52. Ensure all rooftop mechanical equipment, vents, and similar features are screened from public view, as viewed from streets and sidewalks, or placed within the buildings or otherwise made an integral part of the structure. Materials and colors of rooftop screening shall consist of at least one material and color used on building elevations. *(Dev. Ser. / ETE)*
53. Ensure all exterior lighting fixtures are installed and operational. Illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. *(Dev. Ser. / ETE)*

D. Prior to release of performance security, the applicant shall:

54. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and

Retain Design Professional Registered in Oregon, as determined by the City Engineer. *(Site Development Div./JJD)*

55. Submit any required on-site easements, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. *(Site Development Div./JJD)*
56. If a public facility, provide an additional performance security for 100 percent of the cost of twice-a-year (6-month interval) cleaning, maintenance, and filter recharge/replacement by Stormwater Management, Inc., for the StormFilter vault's cartridges for a two-year period, as determined by the City Utilities Engineer. Alternatively, or if a private facility, provide evidence satisfactory to the City Utilities Engineer of a pre-paid service contract with Stormwater Management, Inc., for maintenance of the StormFilters consisting of cartridge replacement and sediment removal per manufacture's recommendations for a two year period from the date of performance acceptance of each respective system. *(Site Development/JJD)*
57. Provide details for water quality to the Operations Department for approval. *(Operations / TC)*
58. Provide details showing that all concrete street panels removed for utility connections are replaced as full panels. *(Operations / TC)*

CARRIED by the following vote:

AYES:	Soth, Shipley, Weathers, and Straus.
NAYS:	None.
ABSTAIN:	Beighley.
ABSENT:	Collins and Doukas.

Dated this _____ day of _____, 2005.

To appeal the decision of the Board of Design ReviewPlanning Commission, as articulated in Land Use Order No. 1775, an appeal must be filed with the City of Beaverton Recorder's Office by no later than 5:00 p.m. on _____, 2005.

BOARD OF DESIGN REVIEW
FOR BEAVERTON, OREGON:

ATTEST:

APPROVED:

ETHAN EDWARDS
Associate Planner

STEWART STRAUS
Acting Chairman

STEVEN A. SPARKS, AICP
Development Services Manager